

### REMARKS

By this amendment, claims 1-15, 17, 21-23, 27-30 and 32-41 are pending, in which claims 1-10, 12-15, 21, 22, 27, 29, 30 and 32-36 are currently amended, claims 16, 18-20, 24-26 and 31 are canceled without prejudice or disclaimer, claims 37-39 were previously withdrawn from consideration, and claims 40 and 41 are newly presented. No new matter is introduced.

The Office Action mailed July 15, 2005 rejected claims 1-4, 7-26 and 35-36 under 35 U.S.C. § 102 as anticipated by *Liljestrand et al.* (US 6,853,714), claims 5 and 6 as obvious under 35 U.S.C. § 103 based on *Liljestrand et al.* in view of *Guidice et al.* (US 6,463,420), and claims 27-34 as obvious under 35 U.S.C. § 103 based on *Liljestrand et al.* in view of *Sridhar et al.* (US 6,098,108). Also, claims 1-10, 12-16, 18, 19, 21, 22, 24 and 25 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

Applicants have amended the Specification with respect to the noted and discovered informalities.

In view of the amendment, Applicants believe the 35 U.S.C. § 101 rejection is overcome. If, however, the Examiner disagrees, the Examiner is invited to telephone the undersigned who will be happy to work with the Examiner in a joint effort to derive mutually satisfactory claim language.

To advance prosecution, independent claims 1, 12, 21, 27, 35 and 36 have been amended and independent claims 18 and 24 are canceled. Independent claim 1 recites “**providing an option for accessing a network consultant via instant messaging.**” Claims 12, 27 and 36, as amended, recite “**wherein a customer agent assigned for servicing a telecommunications offering order is available via instant messaging with a user of the customer application.**”

Amended claim 21 recites “**establishing an instant messaging session with a customer service**

**personnel.” Amended claim 35 recites “means for providing an option for accessing a network consultant via instant messaging.”**

By contrast, *Liljestrand et al.* (col. 4: 13-28; col. 4: 46-col: 5: 8) discloses enhanced services platform 100 utilizes a voice-activated and possibly a web-activated user-interface to allow access to enhanced telecommunications services. To access the voice-activated interface within the enhanced services platform 100, the subscriber 150a need only dial his/her own phone number. Once connected to the platform 100, a "virtual administrator" associated with the voice-activated interface within the enhanced services platform 100 takes over to assist the subscriber 150a in requesting/performing all desired services via the voice-activated interface. For example, the "virtual administrator" can prompt the subscriber 150a for a voice command, and the subscriber 150a can reply by saying "Call Mike." The "virtual administrator" connects the subscriber 150a to the called subscriber 150b (Mike) without the subscriber 150a ever dialing Mike's number. The platform 100 offers three types of service: (1) basic local service; (2) virtual office phone (basic); and (3) virtual office services (advanced). The basic local service corresponds to today's traditional local exchange offering of basic dial tone, access to long distance, and possibly a few basic Class 5 features. The virtual office phone (basic) service includes the voice-activated and web-activated interfaces, and the following features: (1) Call Waiting; (2) Call Transfer; (3) Call Forwarding; (4) Call Swapping; (5) Call Disconnect; (6) Sequential Calling; (7) Voice Dialing By Number; and (8) Redial. The virtual office service (advanced) builds on the basic local service and virtual office phone (basic) with the following advanced service features: (1) Caller I.D.; (2) Caller I.D. History; (3) Conferencing Features (On Demand, Meet Me); and (4) Contact List/Dialing by Name. In addition to the above listed features, the platform 100 also offers more advanced services, such as a unified messaging service, a single number access service and a recording service. The unified messaging service

provides voice mail, e-mail, fax and message delivery features. The unified messaging voice mail feature provides general store and forward, reply, callback, phone or Internet (multimedia) retrieval and networking services. The e-mail feature provides forwarding, reply, Internet retrieval and phone retrieval (text-to-speech) services. The fax feature provides Internet retrieval, phone retrieval (text-to-speech), voice attachment and store and forward services. Finally, the message delivery feature provides Short Message Service (SMS), pager, voice and message forwarding services.

As evident from the above disclosure by *Liljestrand et al.*, this reference is silent with respect to “instant messaging,” much less in the manner claimed. Therefore, the anticipation rejection is unsustainable, as anticipation under 35 U.S.C. §102 requires that each and every element of the claim be disclosed in a single prior art reference.

With respect to the obviousness rejections, the addition of *Guidice et al.* and *Sridhar et al.* does not cure the deficiencies of *Liljestrand et al.* *Guidice et al.* discloses a system for tracking orders shipped by any a variety of carriers (see Abstract). *Sridhar et al.* discusses an approach for providing distribution of, storage of, and access to information related to enhanced communication between computers, in particular communication between client and server computer systems coupled through a data network, such as the Internet (col. 5: 7-11). Therefore, a *prima facie* case of obviousness cannot be made in each of the respective obviousness rejections over the combinations of *Liljestrand et al.* in view of *Guidice et al.* and *Liljestrand et al.* in view of *Sridhar et al.*

Turning now to new claims 40 and 41, independent claim 40 is drawn to method for electronic provisioning of telecommunication services, and recites “providing a plurality of options to communicate with a consultant during the provisioning, **wherein the options include instant messaging and on-line shared white-boarding**, wherein the option is displayed via a

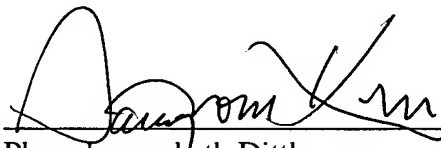
customer application to a user; receiving input from the customer application, the input specifying one or more selections of a plurality of telecommunication products; determining whether the selection is valid during the provisioning; and generating an order for the selection if the selection is valid.” These features are absent from the applied art of record, and thus, independent claim 40 should be allowable. Additionally, claim 41 depends from allowable claim 40, and thus, should be allowable.

Therefore, the present application, as amended, overcomes the rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 425-8508 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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